



6P 28348

JE-4 (1534-13)

#45
3/2/99
M. Pridgeon

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

New York, New York

Roger Frederick BAINES

Date: January 25, 1999

Serial No.: 07/702,615

Group Art Unit: 2834

Filed: May 17, 1991

Examiner: K. Tamai

For: BRUSH ASSEMBLY FOR A DC ELECTRIC MOTOR

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

SUBMISSION

Sir:

Enclosed is an English-language translation of an Office Action issued by the Japanese Patent Office. Six references have been cited. They are listed on the Office Action, and also on the attached Form PTO-1449.

The undersigned respectfully petitions the Examiner to consider this Office Action and the enclosed prior art. Enclosed is our check no. 7440 in payment of the petition fee.

In the event the actual fee is greater than the payment submitted or is inadvertently not enclosed or if any additional fee due during the pendency of this application is not paid, the Patent and Trademark Office is authorized to charge the underpayment to Deposit Account No. 15-0700.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on January 25, 1999:

James A. Finder, Esq.
Name of applicant, assignee or
Registered Representative

Signature
January 25, 1999

Date of Signature

JAF:rk
Enclosure

Respectfully submitted,

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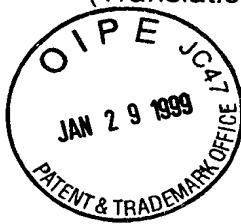
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(Translation)



Dispatched on September 16, 1998

Notification of Reason for Rejection

Dated: September 8, 1998

To: Mr. M. Nakamura, et al., agents for the applicant

From: H. Shimohara, Examiner of the Patent Office

Patent Application No. 3-114938

The above mentioned application is considered to be subject to rejection on the grounds set out hereunder. If the applicant has anything to say, he should file an argument within three months from the date of dispatch of this document.

Ground A

The invention under the present application is considered to have been easy to invent for those skilled in the art on the basis of the invention described in the following publication(s) which was(were) circulated in Japan prior to the present application and, therefore, it is considered unpatentable in view of the provisions of Article 29, Para. 2 of the Patent Law.

Note (see List of Cited References)

(1) With respect to Claims 1 and 2: References 1 or 2 or 3

Remarks:

Reference 1 discloses that brushes are axially displaced with respect to the motor. (Particularly, see Fig. 8, etc.)

Reference 2 discloses a direct current electric motor having plural pairs of brushes at one side.

Reference 3 (Particularly, see Fig. 3, etc.)

(2) With respect to Claims 3 and 4: References 1 or 2 or 3 and References 4 or 5

Remarks:

Reference 4 discloses a brush structure for controlling the noise and the unequal rotation of the motor by changing the mass of each piece of contact portion to change the natural frequency.

Reference 5 discloses an arrangement wherein two slide portions of the brush are formed of different materials.

(3) With respect to Claims 5-7: References 1-5 and Reference 6

List of Cited References

1. Japanese Utility Model Application No. 59-29924
(Japanese Utility Model Public Disclosure No. 60-141663)
2. Japanese Utility Model Application No. 53-168669
(Japanese Utility Model Public Disclosure No. 55-83851)
3. Japanese Utility Model Application No. 57-170954
(Japanese Utility Model Public Disclosure No. 59-75748)
4. Japanese Patent Public Disclosure No. 59-230450 *Diff. materials*
5. Japanese Utility Model Application No. 57-127104 *Diff. materials*
(Japanese Utility Model Public Disclosure No. 59-30672)
6. Japanese Utility Model Application No. 62-137445
(Japanese Utility Model Public Disclosure No. 63-77457)

Ground B

It is considered that this application does not fulfill the requirements as prescribed in Article 36, Paragraphs 4 or 5 and 6 of the Patent Law, since the descriptions in the specification and drawings are incomplete in the following points:

Note

The description of Claims includes unclear portions so that the construction of the invention is not clearly identified.

(1) In Claims 6 and 7, the invention is defined using only figures without describing the technical matter necessary to define the invention.